

## **WARREN COUNTY BOARD OF SUPERVISORS**

**COMMITTEE:            OCCUPANCY TAX COORDINATION**

**DATE:                    DECEMBER 12, 2007**

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**COMMITTEE MEMBERS PRESENT:    OTHERS PRESENT:**

SUPERVISORS    CAIMANO  
                    KENNY  
                    GABRIELS  
                    MERLINO  
                    HASKELL  
                    MONROE

FRANCIS O' KEEFE, COUNTY TREASURER  
ROB LYNCH, DEPUTY TREASURER  
RICK MURPHY, DEPUTY COMMISSIONER OF FISCAL  
                    SERVICES  
VONDA BEATTIE, PRINCIPAL ACCOUNT CLERK, TOURISM  
WILLIAM THOMAS, CHAIRMAN  
PAUL DUSEK, COUNTY ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE &  
                    FISCAL SERVICES

**COMMITTEE MEMBER ABSENT:**

SUPERVISOR    TESSIER

JOAN SADY, CLERK OF THE BOARD

SUPERVISORS    BELDEN  
                         STEC  
                         F. THOMAS  
                         GERAGHTY  
                         VANNESS  
                         SOKOL

NANCY O'BRIEN, *THE ADIRONDACK JOURNAL*  
CHUCK FIEGEL, *THE POST STAR*  
CHARLENE DiRESTA, LEGISLATIVE OFFICE SPECIALIST  
*PLEASE SEE ATTACHED SIGN-IN SHEET FOR ALL OTHER  
GUESTS PRESENT*

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Mr. Caimano called the meeting of the Occupancy Tax Coordination Committee to order at 11:35 a.m.

Motion was made by Mr. Kenny, seconded by Mr. Haskell and carried unanimously to approve the minutes of the October 25, 2007 Committee meeting, subject to correction by the Clerk of the Board.

Mr. Caimano stated that Item No. 1 on the Agenda was a report on Occupancy Tax revenues from Francis O' Keefe, County Treasurer. Mr. O' Keefe said that the total of 2007 Occupancy Tax collections as of December 11, 2007 was \$2,841,117.56.

Mr. Caimano apprised that Item No. 2 on the Agenda pertained to an email received from Bill Dutcher of Americade regarding the County's request that all

vendor names, addresses and tax identification numbers be provided prior to the event. He added that Resolution No. 665 of 2007 had made this request mandatory for occupancy tax funding. He introduced Christian Dutcher of Americade and asked him to address the Committee.

Mr. Dutcher said that their concern was that this was proprietary information. He added that making the vendor information public would create competitiveness among similar events. He stated that he felt that other convention operators would have similar concerns. Mr. Kenny questioned if the requested information would be made public or kept confidential. Paul Dusek, County Attorney, apprised that all information received by the County was public information and added that the question was if under the Freedom of Information Law, the information could be kept confidential. He added that there was a provision in the law that allowed for trade secrets and knowledge that would effect the competitiveness of a business to be kept confidential. He said he would have to do further research to determine if the requested information would fall under this provision.

Mr. Dutcher apprised that he recognized the County's need for this request; however, he said, Americade hosted the New York State Tax Compliance Department on-site within the trade show and all vendors were collecting New York State sales tax. Mr. VanNess stated that the County had a complaint a couple of years ago that collecting this type of information was a violation of an individual's right to privacy. Mr. Dusek responded that issue had been with the general public's concern that information entered on the County's website could be disclosed to private businesses. He added that the County had made assurances that the information would not be disclosed. Mr. VanNess asked if these two issues fell under the same guidelines. Mr. Dusek responded that the website issue had dealt with a federal law that concerned the collection of email addresses and to whom and where those addresses could be transmitted. He added that the current issue was whether the County could require an organization to disclose their list of vendors and whether the County could keep that list confidential. Mr. Caimano noted that the Committee took Mr. Dutcher's concerns seriously. He added that the County Attorney could research this issue and see if there was a way to amend the current resolution at the next Committee meeting. Mr. Dutcher apprised that this requirement was a primary concern for Americade and would probably be for other organizations as well.

Mr. Dusek asked if the primary objective for the request had been the collection of sales tax dollars and Mr. Caimano replied affirmatively. Mr. Dusek asked if the Committee would be willing to explore other ways to ensure the collection of sales tax and Mr. Caimano replied affirmatively. Mr. Dusek stated that even if the County were allowed to keep the information confidential, there would be

organizations who would not be willing to reveal this information. Mr. Gabriels asked what would be done about the existing resolution and Mr. Caimano responded that it would stay in effect until the Committee explored other options. Mr. Kenny asked when the resolution had been passed and Joan Sady, Clerk of the Board, replied that it had been within the last couple of months. Mr. Kenny asked if the request had been included in this years applications and Mrs. Sady replied affirmatively.

Mr. Caimano apprised that Item No. 3 on the Agenda was to report on the status of funding from the municipalities for the New York State Fire Chief's Conference. He asked how many of the Towns had responded and what amount they had committed. Mrs. Sady advised that she had sent out two separate letters, one of which had requested each Town to pass a resolution at their Town Board Meeting for their contributions. She added that \$46,600 had been committed by the Towns so far. Mr. Belden said that the Town of Hague had passed a resolution for a contribution last night at their Town Board meeting. Mr. Monroe said that the Town of Chester had also passed a resolution for a contribution. Mr. Merlino noted that the Town Board of Lake Luzerne had approved a contribution of \$1,000. Mr. Haskell stated that the Town of Thurman had approved their contribution as well. Mrs. Sady apprised that they currently would be short approximately \$50,000 of the amount requested.

Mr. Stec said that the resolution they had passed stated that \$100,000 would come from pro-rata contributions from the municipalities with any remaining balance to be paid from the Special Events Fund. Mr. Caimano stated that he did not feel the County should disburse additional funding other than the \$50,000 from occupancy tax funding plus whatever was contributed by the municipalities. Mr. Stec asked if the Conference would definitely be held in the Town of Lake George. Mr. Caimano responded that contracts had not been signed therefore, nothing was definite. Mr. Stec asked if the Fire Chief's had been considering an alternate site and Mr. Haskell responded that there had been some discussion concerning holding the conference at Adirondack Community College. In answer to a question concerning the fact that the County had told the Fire Chief's they would be funded for a total of \$150,000, Mr. Caimano responded that was what the resolution stated; however, he added, he was suggesting that the Committee reconsider and advise Tom Labelle of the New York State Association of Fire Chiefs, prior to the Board meeting on December 21, 2007. He said that the Committee would have a difficult time meeting the financial commitments they had made and he did not see any reason to disburse more than the maximum of \$50,000 to any organization. Mr. Gabriels agreed with Mr. Caimano and added that the Committee should request a copy of the Association's anticipated budget for 2008.

Motion was made by Mr. Caimano and seconded by Mr. Monroe to amend Resolution No. 685 of 2007 to authorize \$50,000 in occupancy tax funding for the 2008 New York State Association of Fire Chief's Convention plus any contributions made by the municipalities, for a total amount not to exceed \$150,000.

Mr. Stec asked if he could receive an updated list that included the amount that each municipality had been requested to contribute and the amount that they had committed. He added that he could then bring those figures to the Queensbury Town Board to see what they would be willing to commit. Mrs. Sady noted that both the Town and the Village of Lake George had committed to the amount requested which had been approximately \$20,000 each. *(Note: The commitment from the Town of Lake George was \$10,000; the Village of Lake George committed \$20,000.)*

Mr. Caimano called the question and the motion was carried unanimously to amend Resolution No. 685 of 2007 to authorize \$50,000 in occupancy tax funding for the 2008 New York State Association of Fire Chief's Convention plus any contributions made by the municipalities, for a total amount not to exceed \$150,000.

Mr. Kenny noted that the Committee would need a figure to work with in order to award the required 80% for special event funding. He added that the rules stated that 10% of the collections from the previous year should be set aside for special events and 80% of that should be awarded at the earliest possible time. He asked what the total collections for 2006 had been and Mrs. Sady responded \$3,033,734. Mr. Kenny noted that they would need to award approximately \$240,000.

Mr. Caimano stated that they would skip to Item No. 5 on the Agenda, which was a request from Christine Dawson of The Hyde Collection, to address the Committee. Ms. Dawson said that the exhibition for which they had requested funding in the amount of \$20,800, was entitled 'A Glens Falls Legacy: The Pruyn Family' and would be held June 8 through August 24, 2008. She added that the event was directly tied into the Glens Falls Centennial. She noted that exhibition would pertain to the history of Glens Falls, specifically the Hyde family and the Pruyn family and their impact on Glens Falls. She said there would be opening and closing celebrations that would be open to the community and there would be two concerts in conjunction with the Glens Falls Symphony Orchestra. She said that they were working with local hotels to make a whole weekend out of this event to attract visitors from other areas to the community. She added that there would be many events and programs geared toward children. She noted that they would be cross marketing the event with the City of Glens Falls and the Chamber

of Commerce. Mr. Stec apprised that the Town of Queensbury provided The Hyde Collection with a contribution of \$10,000 every year.

Mr. Stec exited the meeting at 11:50 a.m.

Mr. Caimano asked if any of the representatives from organizations that had applied for funding who were present would like to address the Committee.

Messrs. O' Keefe and Lynch exited the meeting at 11:51 a.m.

David King of the Adirondack Theater Festival, introduced himself and stated that their new Producing Artistic Director, Mark Fleisher, was unable to be present. He said that he wanted to emphasize the importance of Warren County funding to the Adirondack Theater Festival. He added that they had received funding from Warren County in 2005 and 2006; however, he said, they did not apply last year because they believed that funding should be spread around to various events and understood that there was not enough money to fund everyone who applied. He stated that they were a non-profit organization that operated thirty days of theater in the City of Glens Falls every summer. He added that they had funds in their budget for advertising; however, he said, with Warren County funding they would be able to do additional advertising to attract more visitors to the area. He noted that there was a zip code analysis attached to their application which showed that there was an increase in the number of visitors from two or more hours away. He added that the number of visitors from the Manhattan, New York area had increased. He stated that they were having a benefit on January 18, 2007 at the Wood Theater and he invited the Committee members to attend.

Bill Brown of 'I Love Downtown', introduced himself and stated that their committee would be dedicating their efforts this year toward the New York State Public High School Basketball Championships. He added that they were not connected to the Basketball Championship nor did they put 'heads in beds'. He explained that they would provide the means for visitors of the Basketball Championships to spend time and shop in the community. He apprised that last year they had funded through corporate and individual donations, a trolley that operated every 15 minutes to transport visitors on a tour of the City of Glens Falls. He expounded that they could fund the trolley for the tour of Glens Falls again this year but would like to have additional trolleys that would tour further up Route 9. He noted that past visitors had asked to be taken to the outlet stores and restaurants, which they were unable to do because they lacked the means. He said they were requesting \$15,000 and that the trolleys cost approximately \$5,000 each for the length of time they would be using them.

Mr. Dusek and Ms. Dawson exited the meeting at 11:55 a.m.

Mr. Brown stated that the more funding they received from the County, the further north on Route 9 the tours would go. He added that if two trolleys were funded they would be able to go as far as the Comfort Suites and if three trolleys were funded they would be able to go as far as the Great Escape. Mr. Belden said that he had ridden the trolley last year and it was a useful tool that allowed visitors to see more of the community. Mr. Caimano stated that he felt it was a great idea and asked Mr. Brown if he had requested funding from the City of Glens Falls. Mr. Brown responded that he had and had received a positive response. Mr. Kenny said he also felt the trolleys were a good idea; however, he noted, that the County had received requests totaling \$657,800 in occupancy tax funding applications.

Luisa Sherman, Director of the Lake George Regional Chamber of Commerce, introduced herself and noted that they had submitted three separate applications for occupancy tax funding. She apprised that the Lake George Regional Chamber of Commerce was a key tourism generator. She added that the three applications were for major events in Lake George that were promotional in nature and were designed to put 'heads in beds'. She apprised that the Lake George Area Restaurant Week had been denied funding last year and she was applying again this year with additional demographic information that showed that over 42% of the participants had traveled more than 150 miles to attend. She expounded that this was an area program and was not limited to Lake George restaurants.

Ms. Sherman apprised that the North Country Bed & Breakfast Tour was a County-wide event that would be held for the first time this year. She added that the bed and breakfasts in the area would not be able to accommodate all of the participants and a significant overflow of visitors would need to stay in the area hotels. She noted that they advertised in Manhattan, New Jersey, Pennsylvania and Canada for the event.

Ms. Sherman stated that the Canadian Visitor Event Week had generated 3.2 million impressions last year. She added that with this year's program that number would increase to over 5 million. She said that there was an increase in Canadian visitors and added that the favorable exchange rate was partly responsible. Mr. Kenny asked if these events were open to all businesses whether they were members of the Lake George Chamber of Commerce or not and Ms. Sherman replied affirmatively.

Christian Dutcher of Americade, Inc. stated that he appreciated the County's past support of the Motorcycle Rally. He noted that there was an increase in the number of motorcycles being sold and therefore, there was also an increase in the

number of motorcycle conventions. He apprised that Americade used to be unique; however, he added, they were now fighting to maintain the size of their event. He said that Americade was now advertising in Canada and that the State University of New York (SUNY) Plattsburgh had recently completed a study to measure the economic impact of Americade on this community. He added that the economic model that was used was very conservative yet, the study showed that \$47 million was generated during the 6.3 nights of the Americade event. He apprised that the County's past support of Americade had received an excellent return on the investment and they would appreciate any future support.

Mr. Caimano stated the Committee would adjourn to a workshop session and would have a list of the organizations that would be awarded funding immediately following the workshop. He added that the Committee would be making decisions to total the amount of approximately \$240,000. He said the Committee would attempt to award funding to organizations that met the criteria and added that they may not be able to award the exact amount that had been requested.

Motion was made by Mr. Caimano, seconded by Mr. Gabriels and carried unanimously to adjourn to a workshop session.

The workshop session was held from 12:05 p.m. to 1:50 p.m.

The Committee reconvened.

Pursuant to the workshop session, Mr. Caimano apprised that the Committee had decided to award occupancy tax funding to the following organizations:

- ▶ Americade, Inc. for the Americade Motorcycle Rally, to be held on June 2-7, 2008, in the amount of \$50,000.
- ▶ New York State Association of Fire Chiefs for the 102<sup>nd</sup> Annual Convention, to be held on June 12-14, 2008, in the amount of \$50,000.
- ▶ New York State Public High School Basketball Championships, to be held on February 25-29, March 1,4,14-16,28-30, 2008, in the amount of \$50,000.
- ▶ Adirondack Theater Festival for the 2008 Festival Summer Season, to be held on June 19-July 26, 2008, in the amount of \$15,000.
- ▶ Albany Rods & Kustoms, Inc. for the Adirondack Nationals Car Show, to be held on September 5-7, 2008, in the amount of \$18,000.
- ▶ Lake George Regional Chamber of Commerce, in the amount of \$40,000 for:
  - Canadian Visitor Event Week, to be held on May 16-23, 2008

- Lake George Area Restaurant Week, to be held on September 8-13, 2008.
- North Country Holiday Bed & Breakfast Tour, to be held on December 6-7, 2008.

\*\*with the stipulation that 1/3 of the funding would be returned to the County if the North Country Bed & Breakfast Tour was not held.

- ▶ Lower Adirondack Regional Arts Council (LARAC) for LARAC June and Fall Art Festivals, to be held on June 14-15, 2008 and November 8-9, 2008, in the amount of \$5,000.
- ▶ Lake George Venture Partners, LLC for the WISH Retreat & Expo, to be held on September 16-19, 2008, in the amount of \$20,000.
- ▶ Northeast Winter Classic All-Breed Dog Show, to be held on February 1-3, 2008, in the amount of \$3,000.
- ▶ New York State Public High School Girls' Volleyball Championships, to be held on November 8, 15-16, 2008, in the amount of \$7,000.
- ▶ Swim Lake George Association for the Lake George Swim Marathon, to be held on August 23-23, 2008, in the amount of \$10,000.
- ▶ Warrensburg Chamber of Commerce for the 29<sup>th</sup> Annual World's Largest Garage Sale, to be held on October 4-5, 2008, in the amount of \$8,000.

Mr. Caimano noted that the total amount of occupancy tax distributions to be awarded was \$276,000. Mr. Merlino stated that he would exempt himself from voting on the North Country Holiday Bed & Breakfast event due to the fact that he owned a bed and breakfast.

Motion was made by Mr. Caimano, seconded by Mr. Haskell and carried unanimously authorizing occupancy tax funding as outlined above.

As there was no further business to come before the Occupancy Tax Coordination Committee, on motion made by Mr. Merlino and seconded by Mr. Monroe, Mr. Caimano adjourned the meeting at 1:58 p.m.

Respectfully submitted,

Charlene DiResta, Legislative Office Specialist